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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/213,907 12/17/98 HOOPER

J AT9-98-561

EXAMINER

TM02/1101

LAW OFFICE OF JOSEPH R. BURWELL  
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VU, T

ART UNIT

PAPER NUMBER

2152

DATE MAILED:

11/01/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

**Office Action Summary**

Application No.

09/213,907

Applicant(s)

HOOPER ET AL.

Examiner

Thong H Vu

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 December 1998.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ \*Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

1 This office action is in response to Application filed 12/30/1998. Claims 1-23 are pending. The rejections cited are as stated below

2 Claims 1,10,17,22,23 are rejected under 35 U.S.C. § 102[e] as being anticipated by Lejeune et al [Lejeune 6,101,527]

3 As per claim 1, Lejeune discloses a method of managing a set of clients in a distributed computer network having a management server [abstract, col 3 line 50- col 4 line 47], comprising the steps of:

associating a manager object to each application type on a given client [col 5 line 20-col 6 line 36, col 7 lines 45-col 8 line 16], the manager object including a registry having a set of one or more elements [col 7 lines 25-37, col 8 lines 34-55], wherein each element includes information representing a context of an application instance [col 6 line 37-col 7 line 44]; and managing all instances of the application through the manager object [Fig 2] .

4 As per claims 10,17,22,23 contain the similar limitations set forth of method claim 1. Therefore, claims 10,17,22,23 are rejected for the same rationale set forth claim 1.

5 Claims 2-9,11-16,18-21 are rejected under 35 U.S.C. § 103 as being unpatentable over Lejeune et al [Lejeune 6,101,527] in view of Bereiter [5,754,763]

6 As per claim 2, Lejeune is silent on the given client supports a dataless management framework. A skilled artisan would have looked to the distributed computer art to improve the Lejeune' system and found the Bereiter teaching. Bereiter discloses a distributed computer enterprise environment using management server with one or more gateway machines and plurality of endpoint machines wherein the client component is preferably dataless [Bereiter col 4 lines 36-54]. Therefore, it would have been obvious to one having ordinary skill in the art at

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the time the invention was made to incorporate the technique using distributed computer system with dataless client as taught by Bereiter into the Lejeune's system in order to provide the stability and extensibility to the large enterprise network.

7 As per claim 3, Lejeune-Bereiter disclose the dataless management framework includes a local agent that is controlled by the manager object to manage the application instance as inherent feature of dataless management framework

8 As per claim 4, Lejeune-Bereiter disclose the element includes information identifying a client node as inherent feature of a application context [Lejeune col 5 lines 55-65, col 6 lines 37-67].

9 As per claim 5, Lejeune-Bereiter disclose the element includes information identifying a directory where the application instance is installed [Lejeune col 9 line 63-col 10 line 18].

10 As per claim 6, Lejeune-Bereiter disclose the element includes information identifying a name of a resource where the application instance is installed as inherent feature of a application context [Lejeune col 5 lines 55-65, col 6 lines 37-67].

11 As per claim 7, Lejeune-Bereiter disclose the application type is discovered by the manager object [Lejeune col 5 lines 25-67].

12 As per claim 8, Lejeune-Bereiter disclose including the step of discovering the application type prior to associating the manager object as inherent feature of a resource manager which manages the objects [Lejeune col 11 lines 49-67].

13 As per claim 9, Lejeune-Bereiter disclose the manager object is managed by the management server [Lejeune col 4 lines 5-47].

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14 As per claims 11-16,18-21 contain the similar limitations set forth of method claims 1-9. Therefore, claims 11-16,18-21 are rejected for the same rationale set forth claims 1-9.

15 Claims 1-23 are rejected under 35 U.S.C. § 102 as being anticipated by the publication art [ILCF: An Introduction to the Lightweight Client Framework]

16 As per claim 1, ILCF discloses a method of managing a set of clients in a distributed computer network having a management server [Fig 1, page 5], comprising the steps of:

associating a manager object to each application type on a given client, the manager object including a registry having a set of one or more, wherein each element includes information representing a context of an application instance [Fig 2 page 7,10]; and

managing all instances of the application through the manager object [page 11] .

17 As per claim 2, ILCF discloses the given client supports a dataless management framework [page 18].

18 As per claim 3, ILCF discloses the dataless management framework includes a local agent that is controlled by the manager object to manage the application instance [page 10]

19 As per claim 4, ILCF discloses the element includes information identifying a client node [page 16]

20 As per claim 5, ILCF discloses the element includes information identifying a directory where the application instance is installed [page 48]

21 As per claim 6, ILCF discloses the element includes information identifying a name of a resource where the application instance is installed [page 10]

22 As per claim 7, ILCF discloses the application type is discovered by the manager object [page 118]

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23 As per claim 8, ILCF discloses including the step of discovering the application type prior to associating the manager object as inherent feature of registry [page 10]

24 As per claim 9, ILCF discloses the manager object is managed by the management server [Fig 1 page 5]

25 As per claims 10-23 contain the similar limitations set forth of method claims 1-9.

Therefore, claims 10-23 are rejected for the same rationale set forth claims 1-9.

26 Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643. The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Mark Rinehart*, can be reached at (703) 305-4815.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9700.

Any response to this action should be mailed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231 or faxed to :

After Final (703) 746-7238

Official: (703) 746-7239

Non-Official (703) 746-7240

Hand-delivered responses should be brought to Crystal Park 11,2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

*Thong Vu*

*Sept 19, 2001*

  
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